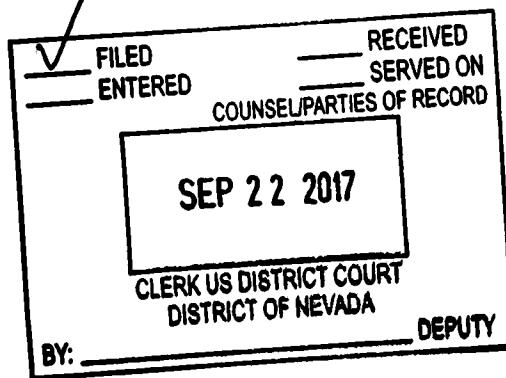


1 ROGER P. CROTEAU, ESQ.
2 Nevada Bar No. 4958
3 TIMOTHY E. RHODA, ESQ.
4 Nevada Bar No. 7878
5 ROGER P. CROTEAU & ASSOCIATES, LTD.
6 9120 West Post Road, Suite 100
7 Las Vegas, Nevada 89148
(702) 254-7775
(702) 228-7719 (facsimile)
croteaulaw@croteaulaw.com
Attorney for Defendant
8 AIRMOTIVE INVESTMENTS, LLC



9
10 **ROGER P. CROTEAU & ASSOCIATES, LTD.**
11 • 9120 W. Post Road, Suite 100 • Las Vegas, Nevada 89148 •
12 Telephone: (702) 254-7775 • Facsimile (702) 228-7719

13 NATIONSTAR MORTGAGE LLC and)
14 FEDERAL NATIONAL MORTGAGE)
15 ASSOCIATION, a government sponsored)
16 enterprise,)
17 Plaintiff,)
18 vs.)
19 HIGHLAND RANCH HOMEOWNERS)
20 ASSOCIATION; and AIRMOTIVE)
21 INVESTMENTS, LLC,)
22 Defendants.)

Case No. 3:17-cv-00287-LRH-VPC

23 **MOTION FOR LEAVE TO APPEAR TELEPHONICALLY**

24 **FOR CASE MANAGEMENT CONFERENCE**

25 COMES NOW, Defendant, AIRMOTIVE INVESTMENTS, LLC, by and through its
26 attorneys, ROGER P. CROTEAU & ASSOCIATES, LTD., and hereby presents its Motion for
27 Leave to Appear Telephonically for the Case Management Conference that is scheduled to take
28 place on October 3, 2017, at 9:30 a.m. This Motion is made and based upon the attached
memorandum of points and authorities, all pleadings, papers and documents on file herein, and
//

1 any oral argument that the Court may entertain at the hearing of this matter.

2 DATED this 20th day of September, 2017.

3 ROGER P. CROTEAU & ASSOCIATES, LTD.

4 /s/ Timothy E. Rhoda

5 ROGER P. CROTEAU, ESQ.

6 Nevada Bar No. 4958

7 TIMOTHY E. RHODA, ESQ.

8 Nevada Bar No. 7878

9 9120 West Post Road, Suite 100

10 Las Vegas, Nevada 89148

11 (702) 254-7775

12 *Attorney for Defendant*

13 AIRMOTIVE INVESTMENTS, LLC

14 **MEMORANDUM OF POINTS AND AUTHORITIES**

15 **STATEMENT OF FACTS**

16 On September 12, 2017, this Court issued a Minute Order [ECF #17] scheduling a Case
17 Management Conference in this matter to take place on October 3, 2017, at 9:30 a.m. The
18 Minute Order further directs that the parties shall jointly file a Case Management Report no later
19 than the close of business on September 22, 2017. Finally, the Minute Order directs that counsel
shall appear in person in Reno unless leave to appear telephonically is obtained prior to the
conference.

20 As the Court is aware, Defendant's counsel's office is located in Las Vegas. Counsel is
21 aware of the fact that this Court has been frustrated on occasion by tardiness on the part of Las
22 Vegas counsel with regard to these matters. To the best of Defendant's counsel's knowledge, it
23 has not been an offender in this regard. As a result, Defendant's counsel respectfully moves the
24 Court for leave to appear at the subject Case Management Conference telephonically.

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LEGAL ARGUMENT

1. **GOOD CAUSE EXISTS TO ALLOW DEFENDANT'S COUNSEL TO
PARTICIPATE TELEPHONICALLY AT THE CASE MANAGEMENT
CONFERENCE**

As set forth in the Minute Order, it is the responsibility of the Plaintiff to initiate and prepare the Joint Case Management Report, and the responsibility of the Defendants to assist in preparation of the report. [ECF #17]. The parties submitted a Case Management Report and Proposed Discovery Plan on September 19, 2017. [ECF #20, 21]. Defendant's counsel has calendared the conference and, if granted leave to do so, will timely contact the Court telephonically in advance of the conference as it may be instructed to do.

Having participated in many Case Management Conferences with this Court, counsel is aware of the fact that the conference itself is generally brief. This Court is well aware of the costs that would be incurred by the Defendant if its counsel is required to travel to Reno to attend the Case Management Conference in person. While Defendant's counsel is aware that the Court has experienced tardiness and abuse of the privilege of appearing telephonically in the past, Defendant's counsel does not believe itself to be an offender in this regard. As a result, Defendant respectfully suggests that good cause exists to allow its counsel to appear telephonically at the time of the Case Management Conference.

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CONCLUSION

Based upon the foregoing, Defendant's counsel respectfully requests leave of Court to appear telephonically at the time of the Case Management Conference that is scheduled to take place herein on October 3, 2017, at 9:30 a.m.

DATED this 20th day of September, 2017.

ROGER P. CROTEAU & ASSOCIATES, LTD.

/s/ Timothy E. Rhoda

ROGER P. CROTEAU, ESQ.

Nevada Bar No. 4958

TIMOTHY E. RHODA

Nevada Bar No. 7878
3129 West Flamingo Road, Suite 100

9120 West Post Road, Suite 100
Las Vegas, Nevada 89148

Las Vegas, Nev.
(702) 254-7775

(702) 254-1115
Attorney for Defendant

Attorney for Defendant
AIRMOTIVE INVESTM

AIRMOTIVE

IT IS SO ORDERED.

By:

United States Magistrate Judge
Valerie P. Cooke

Dated:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of September, 2017, I served via the United States District Court CM/ECF electronic filing system, the foregoing **MOTION FOR LEAVE TO APPEAR TELEPHONICALLY FOR CASE MANAGEMENT CONFERENCE** to the following parties:

CONFERENCE to the following parties:

Rex Garner
Akerman LLP
1160 Town Center Drive, Ste. 330
Las Vegas, NV 89144
rex.garner@akerman.com
Attorney for Plaintiffs
Nationstar Mortgage LLC and
Federal National Mortgage
Association

**Karen M. Ayarbe
Kern & Associates, Ltd.
5421 Kietzke Lane, Suite 200
Reno, NV 89511
775-324-5930
775-324-6173 (fax)
karenayarbe@kernltd.com
*Attorney for Defendant
Highland Ranch Homeowners Association***

Melanie D Morgan
Akerman LLP
1160 Town Center Drive, Suite 330
Las Vegas, NV 89144
(702)634-5005
(702) 380-8572 (fax)
melanie.morgan@akerman.com
Attorney for Plaintiffs
Nationstar Mortgage LLC and
Federal National Mortgage
Association

Gayle A. Kern
Kern & Associates, Ltd.
5421 Kietzke Lane, Ste. 200
Reno, NV 89511
775-324-5930
775-324-6173 (fax)
gakltd@kernltd.com
Attorney for Defendant
Highland Ranch Homeowners Association

/s/ Timothy E. Rhoda
An employee of ROGER P. CROTEAU &
ASSOCIATES, LTD.